IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

UNITED STATES OF AMERICA and THE STATE OF TEXAS, ex rel. HICHEM CHIHI,	§ § §	Civil Action No. 4:18-cv-00123
Plaintiff-Relator,	§	
	§	Judge George C. Hanks, Jr.
v.	§	
	§	
CATHOLIC HEALTH	§	Magistrate Andrew M. Edison
INITIATIVES, et al.	§	
	§	
Defendants.	§	
	§	
	§	
	§	
	§	

UNITED STATES' CONSENT TO A DISMISSAL OF THIS ACTION WITHOUT PREJUDICE

The Relator has filed a Notice of Dismissal seeking the dismissal of Defendant Sleep Enterprises, LLC d/b/a Apnix from the above-captioned False Claims Act *qui tam* action. The United States believes this dismissal is in the public interest.

Pursuant to Fed. R. Civ. P. 41(a)(1) and the provisions of the False Claims Act, 31 U.S.C. §3730(b)(1), the United States hereby consents to the dismissal of this action against Defendants, provided the dismissal is without prejudice as to the United States.

Respectfully submitted,

RYAN K. PATRICK UNITED STATES ATTORNEY

/s/ Vikram Arora

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CERTIFICATE OF SERVICE

I hereby certify on this 3rd day of September, 2020 that a true and correct copy of the foregoing notice was served by electronic mail, to:

Ruth Brown Loevy & Loevy 311 N. Aberdeen St., 3rd Floor Chicago, Illinois 60607 (312) 243-5900 ruth@loevy.com Attorney for Relator

> <u>/s/ Vikram Arora</u> Vikram S. Arora

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